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June 15, 2009

VIA FACSIMILE

[REDACTED] Esq.
United States Attorney's Office
Southern District of Florida
500 South Australian Avenue, Suite 400
West Palm Beach, Florida 33401

Re: Jeffrey Epstein

Dear [REDACTED]

I am attaching a letter authored by my co-counsel, Robert Critton, on today's date. It represents our agreement with a proposal that Kathy Ezell indicated in a letter dated June 8, 2009 would be fully acceptable to her and Bob Josefsberg as a means to resolve expeditiously all outstanding fee issues regarding the attorney representative. Mr. Epstein has directed his counsel to take immediate steps to address and resolve the attorney representative's outstanding fee-related issues and we are doing so without delay. The suggestion of a Special Master, agreed to by both parties, to resolve the issues in the immediate future, will assure all parties that there will be no delay and no need for adversarial litigation regarding fees.

More generally, I want to assure you that Mr. Epstein has directed all counsel to make sure that there is no filing that could constitute a breach of the NPA. Accordingly, a new internal screening process has been established to provide focused decision-making on each filing. To the extent we believe any filing may be perceived as implicating any of the issues generically addressed in the NPA (a document including sentences within paragraph 8 that even Mr. Acosta agreed were "far from simple"), we intend to address such issues with you prior to any filing and hope that you will agree to review the draft filing and inform us whether or not from your perspective it would, if filed, constitute a "breach". This will be especially important regarding issues that we believe fall at the intersection of Section 2255 and the civil litigation. We reserve our right, if you believe a proposed filing to conflict with the NPA or if you wish not to address these issues with us, thereafter to address such substantive issues with the Court.

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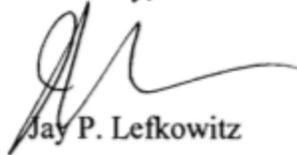
Ms. A. Marie Villafana, Esq.

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We hope that these proposals—in combination with our immediate withdrawal of the previously filed Motion to Dismiss—resolve all outstanding issues at the intersection of the NPA and 2255. Please advise if any remain.

Sincerely,



Jay P. Lefkowitz

Enclosure

cc: ✓ Karen Atkinson, Esq.



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OF COUNSEL

June 15, 2009

Sent by E-mail and U.S. Mail

Robert Josefsberg, Esq.
Podhurst Orseck, P.A.
25 West Flagler Street, Suite 800
Miami, FL 33130

Re: Epstein Matter

Dear Bob:

On June 8, 2009, Kathy Ezell wrote a letter to me regarding outstanding fee payment issues. At page 3, she stated that she was not adverse to an earlier proposal that had been discussed amongst the parties to rely on a Special Master to resolve outstanding fee-related issues. We agree with Kathy's "proposal" that we rely on a Special Master to resolve all outstanding fee issues. Let's work during our Wednesday meeting to select an appropriate Special Master and let's agree to see whether, in the interim, we can resolve these issues even before they are submitted to the S.M.

Cordially yours,

Robert D. Critton, Jr.

RDC/clz

cc: Jack Goldberger, Esq.

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